

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION at CINCINNATI**

<b>IN RE:</b>	}	<b>CASE NO. 21-12059</b>
	}	
<b>ERIN KATHLEEN HILL</b>	}	<b>CHAPTER 13</b>
	}	
<b>DEBTOR</b>	}	<b>JUDGE BUCHANAN</b>

**DEBTOR'S OBJECTION TO PROOF OF CLAIM NO. 3 FILED  
BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND  
REQUEST FOR VALUATION OF LIENS**

COMES NOW ERIN KATHLEEN HILL, Debtor in the above-styled and numbered cause, and files this Objection to Proof of Claim No. 3 filed by Creditor, **U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**, together with a request for Valuation of Liens and would respectfully show the Court as follows:

1. The Creditor is: U.S. Department of Housing and Urban Development  
77 West Jackson Boulevard  
Chicago, IL 60604
2. The Creditor's Attorney is: No Attorney of Record
3. The Creditor's Proof of Claim was filed on September 30, 2021 and journalized in the Claims Register as Claim No. 3.
4. The Debtor objects to Proof of Claim No. 3 on the grounds the debt, on which it is allegedly based, was discharged in Debtor's Prior Chapter 13 Bankruptcy Case which was filed in the United States Bankruptcy Court for the Southern District of Ohio on February 11, 2014 and styled In re Erin K. Hill, Case No. 14-10454 (hereinafter the "Prior Case").
5. Furthermore, the Creditor is the owner of a Mortgage, securing the alleged debt underlying Claim No. 3, recorded in the Office of the Recorder of Clermont County, Ohio on or about January 28, 2013 in Book 2428, Page 2442 (hereinafter the "Mortgage").
6. The Mortgage was stripped, pursuant to Debtor's Confirmed Chapter 13 Plan in the Prior Case, as the Mortgage did not attach to equity in the underlying real property it encumbered and was wholly unsecured.

7. On May 16, 2017, the Debtor received a Discharge of her debts in the Prior Case including the debt underlying Creditor's Claim No. 3.

**WHEREFORE**, Debtor respectfully objects to Proof of Claim No. 3 filed by Creditor, U.S. Department of Housing and Urban Development, and moves the Court for an Order: (1) disallowing Creditor's Claim No. 3 in its entirety; (2) ordering the Creditor to immediately release the Mortgage and (3) granting Debtor all such further relief to which she may be entitled.

Respectfully submitted,

/s/ Gregory M. Wetherall

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GREGORY M. WETHERALL (OH 0067307)

Attorney for Debtor

4030 Mt. Carmel-Tobasco Road, Suite 122

Cincinnati, Ohio 45255

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**NOTICE OF DEBTOR'S OBJECTION TO CLAIM AND REQUEST FOR VALUATION**

Attorney for the Debtor has filed with the Court an Objection to Proof of Claim and Request for Valuation of Liens.

**Your rights may be affected. You Should Read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).**

If you want to object to this Motion, or if you want the Court to consider your views on this matter, then on or before thirty (30) days from the date set forth in the certificate of service for the Motion, you or your Attorney must:

File with the Court a written response stating your position at:

Clerk, U.S. Bankruptcy Court  
Atrium Two, Suite 800  
221 E. Fourth Street  
Cincinnati, Ohio 45202

If you mail your request or response to the Court for filing, you must mail early enough so the Court will receive it on or before the date stated above

You must also mail a copy to:

Margaret A. Burks, Esq.  
Chapter 13 Trustee  
600 Vine Street, Suite 2200  
Cincinnati, OH 45202

United States Trustee  
J.W. Peck Federal Building  
550 Main Street, Room 4-812  
Cincinnati, OH 45202

Gregory M. Wetherall, Esq.  
Attorney for Debtors  
4030 Mount Carmel Tobasco Road, Suite 122  
Cincinnati, Ohio 45255

If you or your attorney do not take these steps, the Court may decide that you do not oppose the Motion and may enter an order granting the same.

**Date: December 11, 2021**

/s/ Gregory M. Wetherall

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GREGORY M. WETHERALL

**OBJECTION TO PROOF OF CLAIM**

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **Objection to Proof of Claim and Request for Valuation of Liens** was served **Electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the Court and by **First Class Mail** on December 11, 2021 addressed to:

Erin Kathleen Hill, Debtor  
4464 Schoolhouse Road  
Batavia, OH 45103

U.S. Department of Housing and Urban Development  
77 West Jackson Boulevard  
Chicago, IL 60604

U.S. Department of Housing and Urban Development  
c/o United State Attorney General  
950 Pennsylvania Ave NW, Room B-103  
Washington, DC 20530-0001

U.S. Department of Housing and Urban Development  
c/o U.S. Attorney - Civil Process Clerk  
221 E. 4th Street, Suite 400  
Cincinnati, OH 45202

/s/ Gregory M. Wetherall

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GREGORY M. WETHERALL